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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/379,729	08/24/99	BROWNE C	169.1416

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EXAMINER	
HARRISON, C	
ART UNIT	**PAPER NUMBER**
2672	8

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary	Application No. 09/379,729	Applicant(s) BROWNE, CAMERON BOLITHO
	Examiner Chante Harrison	Art Unit 2672

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☐ Responsive to communication(s) filed on _____ .

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☐ Claim(s) *1-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☐ Claim(s) *1-6,8,9,11-14,17-23,25,26,28-31,34-40,42,43,45-48 and 51-57* is/are rejected.

7)☐ Claim(s) *7,10,15,16,24,27,32,33,41,44,49 and 50* is/are objected to.

8)☐ Claims _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *24 August 1999* is/are objected to by the Examiner.

11)☐ The proposed drawing correction filed on _____ is: a)☐ approved b)☐ disapproved.

12)☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

13)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____ .

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

14)☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

15) ☒ Notice of References Cited (PTO-892)
16) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
17) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s). 4 .
18) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
19) ☐ Notice of Informal Patent Application (PTO-152)
20) ☐ Other: .

DETAILED ACTION

Restriction of claims 1-57 has been withdrawn.

Drawings

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1704" has been used to designate both P1 and P2. Correction is required.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because reference character "1714" has been used to designate both X3 and X4. Correction is required.

The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference sign(s) not mentioned in the description: FIG. 7B "706", FIG. 11A "1120 & 1116" and FIG. 21 "2108". Correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> **A person shall be entitled to a patent unless –**
>
> **(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.**

Claims 1-6, 8-9,11-12, 18-23, 25-26, 28-29, 35-40, 42-43 and 45-46 are rejected under 35 U.S.C. 102(e) as being anticipated by Stevens et al., U.S. 5,701,404 12/1997, 345/423.

As per independent claim 1, Stevens discloses providing a pattern comprising a set of continuous second curves having no self-crossover points for projection on a surface having first curves (FIGS. 3 & 6 '206'), determining intersection points of the first curve with the second curves (FIG. 16), determining a set of crossover points within the set of intersection points (col. 3, ll. 35 et seq.), and selecting curve intervals in accordance with a predetermined rule to form closed loops that form the transformed set of closed curves (col. 2-3, ll. 50 et seq.).

As per dependent claims 2, 19 and 36, Stevens discloses ordering the crossover points in a predetermined order (col. 8, ll. 46 et seq.), marking one of the points that is highest in the order and that has not been previously marked (col.10, ll. 44 et seq.), determining if a last marked point is a first point in a closed

loop (col. 12, ll. 7 et seq.), if so, selecting one curve interval starting at the first point and terminating at an unmarked point (col. 10, ll. 8 et seq.) and marking the terminating point of the curve interval (col. 9, ll. 15 et seq.; col. 10, ll. 51 et seq.), or if not, selecting another curve interval starting at the previous terminating point and terminating at an unmarked point (col. 10, ll. 7 et seq.), marking the current terminating point (col. 9, ll. 15 et seq.), and repeatedly performing either of the applicable steps until the closed loop is formed (col. 10, ll. 43 et seq.).

As per dependent claims 3, 20 and 37, Stevens discloses selecting another curve interval from the set of first curves, the curve interval starting at a first point and continuing in a first direction and terminating at the next adjacent unmarked crossover point (FIG. 13).

As per dependent claims 4, 21 and 38, Stevens discloses selecting a curve interval from the set of first or second curves, the selected curve is the first curve interval located in a second direction from the previously selected cure interval and the selected curve interval continues in a third direction and terminates at the next adjacent unmarked point (FIG. 15B).

As per dependent claims 5, 22 and 39, Stevens discloses ordering the crossover points according to their position along the set of first curves in a fourth direction (FIG. 10A).

As per dependent claims 6, 23 and 40, Stevens discloses the first and fourth direction are in the forward direction (FIG. 10), the third direction is either positive or negative (col. 9, ll. 41 et seq.) and the second direction is the backward direction (FIG. 15B).

As per dependent claims 8, 25, 42, Stevens discloses the surface is 2-dimensional (FIG. 3A '110').

As per dependent claims 9, 26, 43, Stevens discloses the surface is 3-dimensional (FIG. 5).

As per dependent claims 11, 28, 45, Stevens discloses generating the pattern (col. 10, ll. 8 et seq.).

As per dependent claims 12, 29, 46, Stevens discloses accessing the pattern fro storage (col. 10, ll. 8 et seq.).

As per independent claim 18, Stevens discloses an apparatus (FIG. 2) for performing the method of claim 1. Therefore the rationale as applied to claim 1 is included herein.

As per independent claim 35, Stevens discloses a program (FIG. 2; col. 5, ll. 39 et seq.) for performing the method of claim 1. Therefore the rationale as applied to claim 1 is included herein.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 13-14, 17, 30-31, 34, 47-48, 51-57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens et al., U.S. 5,701,404 12/1997, 345/423 and further in view of Ellson et al., U.S. Patent 5,805,783, 9/1998, 345/419.

As per dependent claims 13, 30, 47, Ellson disclose selecting one of many patterns in response to user input (col. 6, ll. 54 et seq.), which Stevens fails to disclose. It would have been obvious to combine the disclosure of Ellson with that of Stevens because Stevens teaches storing segment data for use when traversing curves (col. 14, ll. 1 et seq.).

As per dependent claims 14, 31, 48, Ellson discloses inputting parameters (col. 6, ll. 18), which Stevens fails to disclose. It would have been obvious to combine the disclosures because Stevens teaches identifying segment parameters (FIGS. 14-15).

As per dependent claims 17, 34, 51, Ellson discloses the first curves constitute a character glyph of a font (FIGS. 3-4), which Stevens fails to disclose.

It would have been obvious to combine the Ellson's disclosure with that of Stevens because Stevens teaches interactively changing a NURBS surface.

As per independent claim 52, Stevens discloses providing a pattern comprising a set of continuous second curves having no self-crossover points for projection on a surface having first curves (FIGS. 3 & 6 '206'), determining intersection points of the first curve with the second curves (FIG. 16), determining a set of crossover points within the set of intersection points (col. 3, ll. 35 et seq.), and selecting curve intervals in accordance with a predetermined rule to form closed loops that form the transformed set of closed curves (col. 2-3, ll. 50 et seq.), forming a set of closed third curves from selected intervals of the first and second curves that form a modified object (col. 12, ll. 7 et seq.). Stevens fails to disclose the object being a character, however it would have been obvious to one of skill in the art to modify a character by forming closed loops because Ellson discloses extruding font characters and applying a third dimension to modify and personalize a font (col. 5, ll. 5-45) and to further combine the disclosure of Ellson with Stevens because Stevens teaches interactively changing a NURBS surface.

As per independent claim 53, Stevens discloses an apparatus (FIG. 2) for performing the method of claim 52. Therefore the rationale as applied to claim 52 is included herein.

As per independent claim 54, Stevens discloses a program (FIG. 2; col. 5, ll. 39 et seq.) for performing the method of claim 52. Therefore the rationale as applied to claim 52 is included herein.

As per independent claim 55, Stevens discloses selecting unmarked adjacent crossover points to a form a closed loop (col. 12, ll. 7 et seq.) and marking the selected adjacent crossover points (FIG. 10A). Stevens fails to disclose forming closed loops to form a modified character. The rationale as applied to independent claim 52 is included herein.

As per independent claim 56, Stevens discloses an apparatus (FIG. 2) for performing the method of claim 55. Therefore the rationale as applied to claim 55 is included herein.

As per independent claim 57, Stevens discloses a program (FIG. 2; col. 5, ll. 39 et seq.) for performing the method of claim 55. Therefore the rationale as applied to claim 55 is included herein.

Claims 7, 10, 15-16, 24, 27, 32-33, 41, 44, 49-50 objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Chante Harrison** whose telephone number is **(703) 305-3937**.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Michael Razavi**, can be reached at **(703) 305-4713**.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 872-9314 (for Technology Center 2600 only)

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA, Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

MATTHEW LUU
PRIMARY EXAMINER